THE HON'BLE SRI JUSTICE V.V.S.RAO
AND
THE HON'BLE SRI JUSTICE G.V.SEETHAPATHY

WRIT PETITION NO.17472 OF 2003

DATED 15.06.2007

BETWEEN:

Bhandaru Seethamma and others.

… Petitioners

AND

The Special Deputy Collector (Tribal) Welfare, K.R.Puram,
West Godavari District and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO
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WRIT PETITION NO.17472 OF 2003

ORDER: (Per Hon'ble Sri Justice V.V.S.Rao)

The petitioners are residents of Srinivasapuram in Jangareddygudem Mandal. They statedly own agricultural lands in Jainavarigudem comprised in R.S.Nos.20/2B, 20/3, 21/1 and 38/2. It is their case that first respondent passed orders under A.P.Scheduled Areas Land Transfer Regulation, 1959, as amended by Regulation 1 of 1970 (hereafter called, the Regulation) vide order, dated 18.12.2002 in S.R.No.27 of 2002. Having come to know about this, the petitioners approached first respondent with a plea that orders passed by first respondent was in relation to different lands in different survey numbers. In spite of the same, they allege that there is a threat of eviction and respondents are regularly making attempts to dispossess the petitioners. Therefore, they seek appropriate declaration and direction in this writ petition.

Learned counsel for petitioners placed strong reliance on the Judgment of this Court, dated 31.03.2003 in W.P.Nos.4776 and 4832 of 2003 and submits that the attempt by respondents to dispossess the petitioners is *ex facie* illegal.

Our attention has been drawn to the order passed in S.R.No.27 of 2002, dated 18.12.2002. It would *prima facie* support the contention that the lands owned by petitioners in various survey numbers referred to hereinabove do not form part of petition schedule in the said case. Therefore, respondents should verify this aspect of the matter before taking any action against the petitioners.

This Court also observes that if the petitioners are in possession of the lands as on today, they cannot be dispossessed without initiating appropriate proceedings under the Regulation or any other relevant law.

The writ petition, with the above observations and directions, is accordingly disposed of.

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(V.V.S.RAO,J)

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(G.V.SEETHAPATHY,J)

15.06.2007
pln